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**FACSIMILE TRANSMISSION COVER SHEET**

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FACSIMILE NUMBER: 571-273-8300

FROM: Brian S. Tomko

TELEPHONE NO.: 732-524-1239

DATE: July 19, 2006

FACSIMILE NUMBER: 732-524-5575

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 9

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COMMENTS:

Docket No.: DEP5062USPCT  
Application No.: 10/566,146

THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT OFFICE ON THE DATES STAMPED HEREON:

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| <input type="checkbox"/> Assignment                                   | <input type="checkbox"/> MPEP 609/_____  |
| <input type="checkbox"/> Response                                     | <input type="checkbox"/> Notice of Appeal                                      |
| <input type="checkbox"/> Fee Transmittal                              | <input type="checkbox"/> Brief   |
| <input checked="" type="checkbox"/> Charge to Deposit Account 10-0750 | <input type="checkbox"/> Priority Document                                     |
| <input type="checkbox"/> Amendment                                    | <input type="checkbox"/> Status Inquiry  |
| <input checked="" type="checkbox"/> Extension of time                 | <input type="checkbox"/> Sequence Listings/Diskette                            |
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DOCKET NO. DEP5062USPCT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Peter Goodwin, et al.

Serial No.: 10/566,146

Confirmation No.: 1965

Filed : January 25, 2006

Examiner: not yet assigned

For : AN ASSEMBLY FOR USE IN ORTHOPAEDIC SURGERY

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I hereby certify that this correspondence is being faxed to the  
United States Patent & Trademark Office at (571) 273-8300 on July 19, 2006

/Brian S. Tomko/

Brian S. Tomko

(Name of applicant, assignee, or Registered Representative)

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUBMISSION OF COMBINED DECLARATION AND POWER OF ATTORNEY

Dear Sir:

Pursuant to Rule 53(f) and Rule 54, and in response to the Notification of Missing Requirements dated May 8, 2006, please find enclosed a Combined Declaration and Power of Attorney for the application of Peter Goodwin, et al. entitled AN ASSEMBLY FOR USE IN ORTHOPAEDIC SURGERY attorney Docket No. DEP5062USPCT, to complete, pursuant to Rule 51, this application filed on January 25, 2006. As required, a copy of the Notification of Missing Requirements of Application is also attached.

Please charge Johnson & Johnson Deposit Account No. 10-0750/DEP5062USPCT/BST in the amounts of \$130.00 for submission of the Declaration pursuant to Section 1.16(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/DEP5062USPCT/BST.

07/24/2006 ATRAN1 00000125 100750 10566146

01 FC:1617 130.00 DA

Respectfully submitted,

/Brian S. Tomko/

Brian S. Tomko  
Reg. No. 41,349  
Attorney for Applicant(s)

Johnson & Johnson  
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(732) 524-1239  
Date: July 19, 2006

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/566,146	Peter Goodwin	DEP5062

INTERNATIONAL APPLICATION NO.
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PCT/GB04/01110

I.A. FILING DATE	PRIORITY DATE
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03/12/2004

03/13/2003

Philips S Johnson  
Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003

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MAY 11 2006

J&amp;J PAT. DKT. SECTION

CONFIRMATION NO. 1965

371 FORMALITIES LETTER

OC00000018703333

Date Mailed: 05/08/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/27/2006
- Copy of the International Search Report filed on 01/27/2006
- Copy of IPE Report filed on 01/27/2006
- Information Disclosure Statements filed on 01/27/2006
- U.S. Basic National Fees filed on 01/27/2006
- Priority Documents filed on 01/27/2006
- Specification filed on 01/27/2006
- Claims filed on 01/27/2006
- Abstracts filed on 01/27/2006
- Drawings filed on 01/27/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130<sup>f</sup> Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/566,146	PCT/GB04/01110	DEP5062

FORM PCT/DO/EO/905 (371 Formalities Notice)